

May 5, 2021

The Trustees of the Village of Malcolm met on Wednesday, May 5, 2021 at 7:01 p.m. in open session at the Village Hall located at 137 East 2nd Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the April 22, 2021 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, May 3rd, 2021.

ROLL CALL

Little, Schweitzer, Tarr, Lemkau

Absent: Faubion

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Steve Schmalken

APPROVAL OF MINUTES: Little made a motion to accept the minutes of the April 7, 2021 meeting, seconded by Tarr. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Lemkau; NAY: none; Members absent: Faubion; Motion carried 4–0.

TREASURER REPORT – Little made a motion to accept the treasurer's report for the month of April 2021, with disbursements of \$83,439.57 and deposits of \$75,603.57. Motion seconded by Schweitzer. The Chairperson called for a vote recorded as follows: AYE: Little, Schweitzer, Tarr, Lemkau; NAY: None; Motion carried 4-0; Members absent: Faubion.

Steve Schmalken, a member of the Malcolm Fire and Rescue Board was present to inform the Village Board of the Stipulation signed on January 23, 2020 and Order signed on February 25, 2020 between the Malcolm Rural Fire Protection District and DP Concepts, Inc. and to inquire about the Conditional Use Permit Application that was submitted on March 29, 2021 for a Sports Bar with a drive through window at 140 West 2nd Street. The application was denied at the April 7, 2021 meeting for lack of documentation.

MAINTENANCE REPORT: A report was submitted and received by the Board.

Board approved to have the fire hydrant on the corner of Robert Road and Elk Creek Road replaced, and the fire hydrant on the corner of Floyd Drive and Hudkins Road rise and turn the hydrant on the corner of Floyd Drive and Elk Creek Road.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

CLERK REPORT: A report was submitted and received by the Board.

BACKGROUND: Creek erosion at the left field light pole at ball field: The ball field fence is completed, waiting for an invoice to clear the bank and will send invoices to Lower Platte South for grant reimbursement.

BACKGROUND: Ordinance for Shipping Containers: David Solheim revised the Ordinance for Shipping Containers, next step is to hold a Public Hearing at the next Planning Commission Meeting on April 28, 2021 at 7:15 p.m. and the next Board meeting on June 1, 2021 at 8:00 p.m. since it will change the zoning code.

BACKGROUND: Ordinance for fee's charge in Malcolm: tabled until the July meeting.

BACKGROUND: Ordinance for Annexation of Malcolm Methodist Church and Malcolm Road – 2nd reading: Little made a motion to approve Ordinance 2021-02, an Ordinance of the Village of Malcolm, Lancaster County, Nebraska, to annex and include as part of the Village of Malcolm certain contiguous and adjacent real property; extend the Corporate Limits; Authorize a certified copy to be filed with the Register of Deeds and County Assessor; furnish services; repeal and conflicting ordinances; and provide for an effective date to annex in Malcolm Road in front of the Malcolm Methodist Church and annex the Malcolm Methodist Church into the Village limits. Following the reading of the Ordinance, Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Lemkau; NAY: None; Motion carried 4– 0; Members absent: Faubion.

BACKGROUND: Codification of Malcolm Municipal Codes: David Solheim is waiting for a quote from Municode to host our Village Codes on-line with the capability of online searching. This item will be tabled until the June meeting.

BACKGROUND: Chapter 12-601 (c) – 20-acre requirements for a single-family residence: Board requested additional information which the clerk will gather and have at the next meeting.

BACKGROUND: Impact Fee's: This item will be tabled and presented at the July meeting along with the other fees for Malcolm.

BACKGROUND: Clarification of codes for “farmers” building permits: A question arose whether or not a “Farmer” needs a building permit to build an equipment shed for non-commercial family farm use. If you do not live within the one-mile jurisdiction of the Village of Malcolm, yes you can build without a building permit as long as you meet the criteria. However, if you are within the one-mile jurisdiction of the Village, the Village Codes need to be followed, which means a building permit is required.

BACKGROUND: Miller & Associates – surveying cost for paved roads: Miller and Associates submitted a bid for \$5,400.00 to perform a detailed survey draft of a 4-block area for the possibility of paving the downtown area of Malcolm. Miller and Associates will present preliminary ideas and prepare a revised opinion of construction cost.

Recommendation 371 – Building Permit – new home – 8080 NW 112: After further review of the Planning Commission recommendation and review of the building permit and plans, Little made a motion to approve the building permit for a new residence at 8080 NW 112 for Vlad and Lydi Gorbun. Tarr seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Lemkau; NYE: None; Motion carried 4-0; Members absent: Faubion.

Recommendation 372 – Building Permit – shed – 381 Hudkins Road: After further review of the Planning Commission recommendation for a shed at 381 Hudkins Road for Aaron and Stefanie Hraban, Little made a motion to approve the building permit. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Lemkau; NYE: None; Motion carried 4-0; Members absent: Faubion.

Recommendation 373 – Building Permit – deck – 176 East 1st Street: After further review of the Planning Commission recommendation for a deck at 176 East 1st Street for Rick & Judi Jirovsky, Little made a motion to approve the building permit. Tarr seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Lemkau; NYE: None; Motion carried 4-0; Members absent: Faubion.

The meeting in June will be held on Tuesday, June 1st instead of Wednesday June 2nd due to conflicts of the Board.

With no further business to discuss, Little moved to adjourn at 9:25 p.m. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Lemkau; NYE: None; Motion carried 4-0; Members absent: Faubion.

Nadine Link, Village Clerk